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Hon. Magistrate Parker
United States District Court, S.D.N.Y.
500 Pearl Street, Courtroom 17D
New York, NY 10007

RE: clarification as to summary judgment deadlines and Motion to Strike
CASE: 19-cv-11764

Your Honor,

I am the *pro-se* Plaintiff in the above-mentioned matter, hereinafter referred to in first person or as "Plaintiff." It is unclear to me to whom this letter should be addressed (perhaps it is to Hon. Analisa Torres) but it seems it would be to Your Honor.

Earlier today, Judge Torres entered an Order (ECF #480), clarifying certain matters. Therein, she reminded that all pre-trial, non-dispositive matters were referred to Your Honor but that she will be ruling on Plaintiff's Motion to Strike (#ECF 471), which is a Motion to Strike Mr. Glassner's affidavit (said affidavit was part of Defendants' September 20, 2024 summary judgment motion). Presumably, it is because such falls under the purview of Judge Torres, as it pertains to the summary judgment motions on which she will rule. She also clarified, in answer Defendants' recent inquiry, that, as the Motion to Strike falls under her purview, Defendants are to travel under her Individual Rules and thus have four weeks to respond to Plaintiff's Motion to Strike. That means Defendants' *Response* is not due until December 10th – and my Reply is due by December 24th.

But, my response to their summary judgment motion, and any counter motion, is due December 30th.

I therefore seek clarification from the Court on what appears to be a legal 'traffic jam': How can I prepare my Response to their summary judgment motion when I do not yet know whether the affidavit, which is part of their Motion, is stricken or not?

I seek clarification and thank the Court for its time.

s/Arlene Delgado
Arlene Delgado
Plaintiff, *pro-se*

Courts frequently decide motions to strike at the same time they decide an associated motion for summary judgment. *E.g., Faulkner v. Arista Records, LLC*, 797 F. Supp. 2d 299 (S.D.N.Y. 2011). Plaintiff must therefore prepare her opposition to Defendants' motion for summary judgment without knowing how the Court will rule on her motion to strike.

The Clerk of Court is directed to terminate the motion at ECF No. 484.

SO ORDERED.

Dated: November 22, 2024
New York, New York


ANALISA TORRES
United States District Judge